

REMARKS

Claims 46-49, 51, 54-58, 61, 70-73 and 76-78 are pending. Claims 46 and 77 have been amended the claims to more particularly point out the distinctions from the cited references. Reconsideration and allowance is respectfully requested.

35 U.S.C. § 103 Rejection

Claims 46-49, 51, 54-58, 61, 70-73 and 76-78 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0078036 to Chang et al. in view of U.S. Patent No. 6,832,242 to Keskar et al. Applicants respectfully traverse this rejection.

Chang does not disclose each and every element of the claims. Chang does not disclose “demarking files on a first portable computer system by a first user, the demarking indicating that the demarked files are available for downloading by a second portable computer system by a second user, wherein the files are executable files.” In general, Chang does not contemplate a process involving two users suggesting Chang’s application is not analogous to the present claims.

The Examiner suggests “user setting that the database 12 of the remote wireless device 200 needs to be transferred” and “step 81: the user setting that the database 12 of the remote wireless device 200 needs to be transferred” (para. [0075]) is equivalent to demarking files available for downloading on a first portable computer system. Applicants respectfully disagree. The process described involves a database to be transferred, not the transfer of an executable file. Chang is referring to the following process:

In the present invention, contents of the database 12 of the remote wireless device 200 can be transferred to the master device 100 such that the data of the master device 100 can be simultaneously updated with the data of the remote wireless device 200. For example, the remote wireless device 200 is a PDA and the master device 100 is a personal computer. To edit the address book of the PDA 200 by the personal computer 100, the address book of the PDA 200 is transferred to the PC 100 and edited by the personal computer 100. Afterward, the modified address book is stored back to the PDA 200. In some situations, the transfer of the database 12 is temporary. Therefore, the database 12 is transferred from the remote wireless device 200 to the master device 100 once they are connected and the database is removed from the master device 100 after the remote wireless device 200 and the master device is not connected with each other. This

preserves the privacy of the user when many users are authorized to have access to the same master device 100. Para. [0073].

This process is inapplicable to the present claims.

Next, the Examiner states that “driver and the application programs stored in the remote wireless device 200 can be automatically transmitted to the master device 100” and paragraph [0047] is equivalent to automatically transferring the demarked files, from the first portable computer system to the second portable computer system. Applicants respectfully disagree. The driver and application programs are not the demarked files from the first element of the claims. The Examiner has cited demarking a database to suggest teaching of one element of the claims, and then cites a separate and unconnected process (i.e., the transfer of driver and application programs) to suggest teaching the second element of the claims. Taking the Examiner’s interpretation, if the demarked files of the first element of the present claims is to be interpreted as the database, then the database must be the files referred to throughout the claim. As suggested above, this is not the case. Alternately, if the driver and application programs are interpreted as the demarked files, nowhere does Chang reveal that these files are demarked (i.e. chosen by the first user) for download availability.

Chang discloses a method wherein one device automatically detects the parameters of another device so that proper configuration files and software drivers may be transferred. A user does not choose any driver or application files to transfer. Rather the process happens without user involvement. See e.g., para. [0059].

The Examiner also states “Chang teaches transferring metadata about the content between two portable computers [paragraphs 0009 and 0019].” Applicants respectfully disagree. Both citations are devoid of any metadata being transferred between the master and remote wireless device. What is sent is “resource and environment parameters” so that a connection may be established. Additionally, once the connection is established “[t]he remote wireless device sends the driver program or the application program to the master device for installing the driver program and the application program to the master device.” Para. [0009]. This also is not metadata, but the actual driver or application program. A user does not demark any files for download nor is any summary information transferred to a second device.

Chang simply is not analogous to the present claims. The present invention as claimed is directed towards one user informing another user of the executable files available on the first user's portable computer system to be downloaded to the second user's portable computer system. Chang's silent transfer of driver, application, or configuration files defeats the purpose of the present invention claimed.

Keskar does not cure Rodgers' deficiencies. Keskar was cited as disclosing sharing between handheld devices. However, Keskar's disclosure is generic. Keskar discloses using the "beaming" process of handheld's to transfer files. For example, the Examiner cites "block P710, the sender, or person wishing to share a relevant item(s), uses the HSA UI to initiate the sending of the relevant item(s)." Nowhere does Keskar disclose a process of a user selecting applications to allow for transfer, only initiating "beaming" of a file. Moreover, nowhere does Keskar disclose transferring summary information to the second device before actually downloading any demarked files as claimed. Keskar clearly states that an intent to share an item along with a User ID is beamed to another device. Furthermore, other information that is beamed describes the interests of users or the location of a sharable item located on a separate server or computer. See col. 13, line 20 – col. 14, line 12. A second user certainly is not selecting a subset of the demarked files as claimed. As such, Chang and Keskar, alone or in combination, do not teach or suggest the present claims. Accordingly, Applicants respectfully request withdrawal of this rejection.

All rejections have been addressed. In the event there are still outstanding issues, the undersigned requests the Examiner to resolve them by telephone in order to expedite allowance of this application. Reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,

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